

## Message Text

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ORIGIN EB-08

INFO OCT-01 EA-07 ISO-00 L-03 CAB-02 CIAE-00 COME-00  
DODE-00 DOTE-00 INR-07 NSAE-00 EPG-02 FAA-00 SS-15  
NSC-05 /050 R

DRAFTED BY EB/AN:TJROESCH:VLV

APPROVED BY EB/AN:RABROWN

EA/TIMS - ADORNHEIM

L/EB - PMICKEY

CAB - JHORNEMAN

L/T - WMCQUADE

-----089751 270459Z /21

R 262316Z JUL 77

FM SECSTATE WASHDC

TO AMEMBASSY JAKARTA

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E.O. 11652: N/A

TAGS: EAIR, ID

SUBJECT: CIVAIR - US-INDONESIA AIR TRANSPORT AGREEMENT

REF: (A) JAKARTA 9644; (B) STATE 170374

1. IN REGARD TO QUESTIONS RAISED IN REF A:

A. GARUDA APPLICATION CONTINUES DEFERRED UNTIL CURRENT  
NEGOTIATIONS ARE CONCLUDED. WHETHER OR NOT GARUDA APPLICA-  
TION WOULD HAVE TO BE AMENDED OR WITHDRAWN WOULD DEPEND ON  
NATURE OF CONCLUDED AGREEMENT.

B. AFTER FEBRUARY TALKS USG FEELS NO LONGER BOUND BY  
SEPTEMBER 10 PROPOSAL, ALTHOUGH IN REGARDS TO PASSENGER  
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SERVICE, IT CONTINUES TO REFLECT GENERAL OUTLINES OF US  
INTEREST. IN AREA OF ALL-CARGO SERVICE, EXTENSION BY  
FLYING TIGER RENEWAL CASE (REF B) OF FTL RIGHTS TO INCLUDE  
INDONESIA MUST BE TAKEN INTO CONSIDERATION.

C. IF GARUDA WERE TO APPLY FOR ROUTE COVERED BY EXISTING  
BILATERAL, DEPT AND CAB STAFF WOULD SUPPORT APPLICATION AND

URGE THAT IT BE PROCESSED EXPEDITIOUSLY. HOWEVER, AT SAME TIME IT WOULD BE RECOMMENDED THAT PERMIT WOULD BE CONDITIONED ON INDONESIA'S ACCEPTANCE OF ITS OBLIGATIONS IN

REGARDS TO RIGHTS PROVIDED US AIRLINES UNDER AGREEMENT, E.G., MULTIPLE DESIGNATION, ALL-CARGO SERVICE AND FIFTH FREEDOM TRAFFIC RIGHTS. IF GOI FAILED TO ABIDE BY THESE CONDITIONS GARUDA'S PERMIT WOULD HAVE TO BE RECONSIDERED.

2. IN THIS HYPOTHETICAL CASE, LACK OF INTEREST BY PAN AM AND FLYING TIGER TO SERVE INDONESIA WOULD NOT FORESTALL GARUDA'S OPERATION. (IN SUCH CIRCUMSTANCES WE WOULD EXPECT THEIR INTEREST TO REVIVE QUICKLY.) HOWEVER, IN THE CURRENT CIRCUMSTANCES, GOI VIRTUALLY IGNORES RIGHTS PROVIDED US AIRLINES UNDER AGREEMENT. IT IS ONLY PROPER THAT US-INDONESIAN RELATIONS BE BASED ON COMITY AND RECIPROCITY RATHER THAN THE EXISTING AGREEMENT (AS IN THE CASE OF THE DEPT'S LETTER REGARDING GARUDA APPLICATION).

3. ALTHOUGH DEPT APPRECIATES EMBASSY'S SUGGESTION REGARDING POSSIBLE SUSPENSION OF AGREEMENT, THERE ARE QUESTIONABLE LEGAL ASPECTS AND, IN ANY CASE, SUCH A SUSPENSION DESCRIBES CURRENT SITUATION. VANCE

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** AVIATION AGREEMENTS  
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**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977STATE175087  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** TJROESCH:VLV  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
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**Litigation History:**  
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**Message ID:** 66158663-c288-dd11-92da-001cc4696bcc  
**Office:** ORIGIN EB  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
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**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 77 JAKARTA 9644, 77 STATE 170374  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
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**Review Release Event:** n/a  
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**Review Withdrawn Fields:** n/a  
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**Status:** NATIVE  
**Subject:** CIVAIR - US-INDONESIA AIR TRANSPORT AGREEMENT  
**TAGS:** EAIR, ID, US  
**To:** JAKARTA  
**Type:** TE  
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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
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22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009